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FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

December 21, 1994

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INFORMAL COMPLAINT
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IN REPLY REFER TO:

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JAN 25 1995

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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The Honorable Alfonse M. D'Amato
United States Senator
1259 Federal Building
Syracuse, New York 13261-7216

Dear Senator D'Amato:

Thank you for your letter on behalf of Gerald F. Washburn, Sheriff, Oneida County, New York, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost. Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

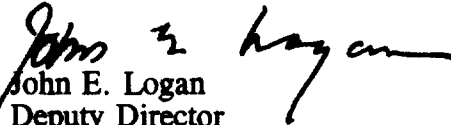
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The Honorable Alfonse M. D'Amato
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "John E. Logan", is written over the typed name.

John E. Logan
Deputy Director
Office of Legislative and Inter-governmental Affairs

Enclosures

ALFONSE M. D'AMATO
NEW YORK

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United States Senate
WASHINGTON, DC 20510-3202

October 5, 1994

Ms. Judith L. Harris
Director, Office of Legislative Affairs
Federal Communications Commission
Room 808
1919 M Street, N.W.
Washington, D.C. 20554

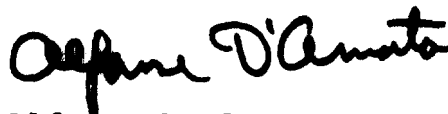
Dear Ms. Harris:

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested.

Your findings and views, in duplicate form, will be appreciated.

Please reply to my Syracuse office.

Sincerely,



Alfonse M. D'Amato
United States Senator

AMD/mt

Attachment

OFFICE OF THE SHERIFF

COUNTY OF ONEIDA

GERALD F. WASHBURN
SHERIFF



Memorandum

To: Senator Alfonse D'amato
From: Sheriff Gerald F. Washburn *gfw*
Date: 07/25/94
Subject: Billed Party Preference

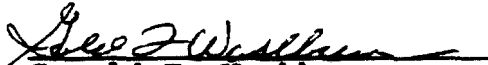
I am writing in regards to Billed Party Preference (BPP), CC Docket 92-77 presently before the Federal Communications Commission. The Oneida County Sheriff's Department has one company handling our telephone service. This allows us the ability in our Correctional Facility to ensure the safety and tax dollars of Oneida County citizens are protected, as listed below:

1. Blocking Control of inmate phone calls.
 - a. Ensuring that no victim or witness receives harassing calls.
 - b. Ability to turn off the phone systems, according to phone procedures set by the policy and procedures of the department.
2. On site phone system supervision by facility personnel.
3. Collect-only system capability.
4. Reduced budgetary costs, due to not having to pay for inmate calls.
5. Inmate phone system commissions.
6. Call duration capability.

7. Detection of 2 party line calls to eliminate third party calls.
8. Notification to person receiving call that it is from a Correctional Facility.
9. The potential for fraud will creep back into the system.

If this bill is passed, it will affect my responsibility as an elected Official of Oneida County to provide law, order, protection, and the fiscal responsibility I have to the citizens of Oneida County.

I eagerly oppose the BPP and request your cooperation in encouraging the FCC to do the same.


Gerald F. Washburn
Sheriff, Oneida County

cc: Vice-President Al Gore
FCC
File